THE HON'BLE SRI JUSTICE V. ESWARAIAH

Writ Petition No.8069 of 2005

Dated:09.02.2007

Between:

M. Syamsundar Prasad and another.

....
PETITIONERS

AND

The Sub-Inspector, Mylavaram Police Station, Krishna District and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V. ESWARAIAH

Writ Petition No.8069 of 2005

Order:

This writ petition is filed seeking a writ of mandamus to declare the action of the respondents in not taking action on the complaint, dated 23.03.2005, lodged by the petitioners against the named accused, as illegal and arbitrary, and consequently to direct the respondents to register the crime against the named accused in the said complaint and to take appropriate action in accordance with law.

Respondents filed counter stating that pursuant to the receipt of a complaint from the petitioners, before the Superintendent of Police on 27.04.2005, through the Inspector of Police, Mylavaram, a case in Crime No.43 of 2005 was registered against accused 1 to 17 for the offences punishable under sections 447 and 506 r/w Section 34 IPC, and the investigation has been taken up. It is further stated that during the course of investigation, accused were arrested and released on bail on 27.05.2005, and subsequently, after completion of the investigation, charge sheet was filed on 27.05.2005 before the I Metropolitan Magistrate's Court, Vijayawada.

In view of the specific stand taken by the respondents in the counter-affidavit, no orders need be passed in this writ petition.

Hence, the Writ Petition is dismissed. No costs.

V. ESWARAIAH, J.

Date: 09.02.2007
sj